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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**NEW UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(only for new nonprovisional applications under  
37 CFR 1.53(b))

Attorney Docket Number	20423-07775
First Named Inventor	Carey Nachenberg
Title	Real-Time Training for Computer Code Intrusion Detection System
Express Mail Label No.	EV 338300949 US

17410 U.S. PTO  
10/6/2003



<b>APPLICATION ELEMENTS</b>		<b>ACCOMPANYING APPLICATION PARTS</b>	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)		7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))	
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		8. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
3. <input checked="" type="checkbox"/> Specification <span style="float: right;">Total Pages <input type="text" value="23"/></span>	(preferred arrangement set forth below)	9. <input type="checkbox"/> Power of Attorney or Authorization of Agent	
	<input checked="" type="checkbox"/> Descriptive Title of the Invention <input checked="" type="checkbox"/> Cross Reference(s) to Related Case(s) <input checked="" type="checkbox"/> Statement Regarding Fed sponsored R & D <input checked="" type="checkbox"/> Background of the Invention <input checked="" type="checkbox"/> Brief Summary of the Invention <input checked="" type="checkbox"/> Brief Description of the Drawing(s) <input checked="" type="checkbox"/> Detailed Description <input checked="" type="checkbox"/> Claim or Claims <input checked="" type="checkbox"/> Abstract of the Disclosure	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">Total Sheets <input type="text" value="2"/></span>		11. <input type="checkbox"/> Preliminary Amendment	
5. Combined Declaration and Power of Attorney	a. <input checked="" type="checkbox"/> New Declaration <span style="float: right;">Total Pages <input type="text" value="3"/></span>	12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s)	
	<input checked="" type="checkbox"/> Executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	13. <input checked="" type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		14. <input checked="" type="checkbox"/> Return Postcard	
		15. <input type="checkbox"/> _____	
		16. <input type="checkbox"/> _____	
		17. <input type="checkbox"/> _____	

**ADDRESS TO:**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: \_\_\_\_\_/\_\_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**



Customer Number and Bar Code  
Label

34415

PATENT TRADEMARK OFFICE

Name (Print/Type)	Edward J. Radio	Registration No. (Attorney/Agent)	26,793
Signature		Date	July 1, 2003

20423/07175/DOCS/1360438.1

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** **(\$)** **790.00****Complete if Known**

Application Number	not yet known
Filing Date	July 1, 2003
First Named Inventor	Carey Nachenberg
Examiner Name	not yet known
Art Unit	not yet known
Attorney Docket No.	20423-07775

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number **19-2555**Deposit Account Name **Fenwick & West LLP****The Commissioner is authorized to:** (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code	(\$)	Code	(\$)		
1001	750	2001	375.	Utility filing fee	<b>750</b>
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>(\$)</b>	<b>750</b>		

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	20	-20** =	x 18 = 0
Independent Claims	3	-3** =	x 84 = 0
Multiple Dependent			

Large Entity				Small Entity		
Fee	Fee	Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)			
1202	18	2202	9	Claims in excess of 20		
1201	84	2201	42	Independent claims in excess of 3		
1203	280	2203	140	Multiple dependent claim, if not paid		
1204	84	2204	42	**Reissue independent claims over original patent		
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent		
<b>SUBTOTAL (2)</b>		<b>(\$)</b>	<b>0</b>			

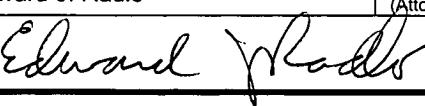
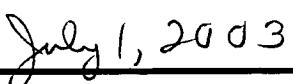
\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity				Small Entity		
Fee	Fee	Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)			
1051	130	2051	65	Surcharge - late filing fee or oath		
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		
1053	130	1053	130	Non-English specification		
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
1251	110	2251	55	Extension for reply within first month		
1252	410	2252	205	Extension for reply within second month		
1253	930	2253	465	Extension for reply within third month		
1254	1,450	2254	725	Extension for reply within fourth month		
1255	1,970	2255	985	Extension for reply within fifth month		
1401	320	2401	160	Notice of Appeal		
1402	320	2402	160	Filing a brief in support of an appeal		
1403	280	2403	140	Request for oral hearing		
1451	1,510	1451	1,510	Petition to institute a public use proceeding		
1452	110	2452	55	Petition to revive - unavoidable		
1453	1,300	2453	650	Petition to revive - unintentional		
1501	1,300	2501	650	Utility issue fee (or reissue)		
1502	470	2502	235	Design issue fee		
1503	630	2503	315	Plant issue fee		
1460	130	1460	130	Petitions to the Commissioner		
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)		
1806	180	1806	180	Submission of Information Disclosure Stmt		
8021	40	8021	40	Recording each patent assignment per property (times number of properties)		40
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))		
1801	750	2801	375	Request for Continued Examination (RCE)		
1802	900	1802	900	Request for expedited examination of a design application		
Other fee (specify) _____						
<b>SUBTOTAL (2)</b>		<b>(\$)</b>	<b>0</b>			
<b>SUBTOTAL (3)</b>				<b>(\$)</b>	<b>40</b>	

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY****Complete (if applicable)**

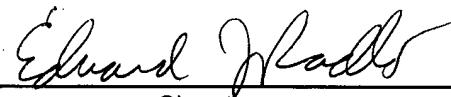
Name (Print/Type)	Edward J. Radio	Registration No. (Attorney/Agent)	26,793	Telephone (650) 335-7142
Signature		Date		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Carey Nachenberg
	Title	Real-Time Training for Computer Code Intrusion Detection System
	Atty Docket Number	20423-07775

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 1, 2003  
Date

  
Signature

Edward J. Radio, Reg. #26,793  
Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.